

DECLARATORY

Improvement Res. No. 3059-1961

For the Condemnation of a permanent right of way
for sewer easement and utility purposes and a
temporary right of way for construction purposes
across parts of the Northeast $\frac{1}{4}$ and the Southwest
 $\frac{1}{4}$ of Section 27, Township 31 North, Range 12 East,
all in Allen County, Indiana.

Resolution Adopted:

June 8, 1961

Confirmed:

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Reported Completed:

Assessment Roll Confirmed:

August 17, 1961

B.O. 88-161

Easement for Sewer 131-1961
Spy Run Interceptor

DECLARATORY RESOLUTION NO. 1059-1961

For the Condemnation of a permanent right of way for sewer easement and utility purposes and a temporary right of way for construction purposes across parts of the Northeast $\frac{1}{4}$ and the Southwest $\frac{1}{4}$ of Section 27, Township 31 North, Range 12 East, all in Allen County, Indiana.

PLANS ORDERED:

ADOPTED: June 8, 1961

ADVERTISE NOTICE TO PROPERTY OWNERS: June 12 & 19, 1961

HEARING ON CONFIRMATION: Thurs., June 29, 1961, 3:30 p.m.

CONFIRMED: June 29, 1961

ASSESSMENT ROLL ORDERED: June 29, 1961

ASSESSMENT ROLL APPROVED: July 17, 1961

ADVERTISED: NOTICE TO NON RESIDENTS: July 20, 27 & Aug. 3, 1961

HEARING ON CONFIRMATION

OF ASSESSMENT ROLL: Thurs., August 17, 1961, 3:30 p. m.

NOTICE SERVED: August 1, 1961

ASSESSMENT ROLL CONFIRMED: August 17, 1961

DECLARATORY RESOLUTION No. 1059 1961

For the Condemnation of a permanent right of way for sewer easement and utility purposes and a temporary right of way for Construction purposes across parts of

The Northeast $\frac{1}{4}$ and the Southwest $\frac{1}{4}$ of Section 27, Township 31 North, Range 12 East, all in Allen County, Indiana.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to condemn a permanent right of way for sewer and utility purposes across the following described real estate in Allen County, Indiana:

Beginning at a point on the North line of Section 27, Township 31 North, Range 12 East, said point being a distance of 299 feet East of the Northwest corner of the Northeast $\frac{1}{4}$ of said Section; thence Southwesterly a distance of 1716 feet to a point 47.6 feet East of the West line of the Northeast $\frac{1}{4}$ of said Section; thence West along a line parallel to the North line of said Section a distance of 20 feet to a point 27.6 feet East of the West line of the Northeast $\frac{1}{4}$ of said Section; thence Northeasterly and parallel with said East line a distance of 1716 feet to a point on the North line of said Section; thence East on the North line of said Section a distance of 20 feet to the point of beginning;

Also, the West 10 feet of the East 287.5 feet of the South 222 feet of the North 1047 feet of the Southwest $\frac{1}{4}$ of Section 27, Township 31 North, Range 12 East;

Beginning at a point 128 feet West of the Northeast corner of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 27, Township 31 North, Range 12 East; thence South 27 degrees, 30 minutes East, 217 feet to a point; thence South 62 degrees, 30 minutes West, 20 feet to a point; thence North 27 degrees, 30 minutes West, 227 feet to a point in the North line of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section; thence East along said line a distance of 23 feet to the point of beginning.

and to condemn a temporary right of way for the construction of the sewer and appurtenances in said permanent right of way across the following described real estate:

Beginning at a point on the North line of Section 27, Township 31 North, Range 12 East, said point being a distance of 319 feet East of the Northwest corner of the Northeast $\frac{1}{4}$ of said Section; thence Southwesterly a distance of 1716 feet to a point 67.6 feet East of the West line of the Northeast $\frac{1}{4}$ of said Section; thence West along a line parallel to the North line of said Section a distance of 60 feet to a point 7.6 feet East of the West line of the Northeast $\frac{1}{4}$ of said Section; thence Northeasterly and parallel with said East line a distance of 1716 feet to a point on the North line of said Section; thence East on the North line of said Section a distance of 60 feet to the point of beginning;

Also, the West 30 feet of the East 307.5 feet of the South 222 feet of the North 1047 feet of the Southwest $\frac{1}{4}$ of Section 27, Township 31 North, Range 12 East;

Beginning at a point 128 feet West of the Northeast corner of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 27, Township 31 North, Range 12 East; thence South 27 degrees, 30 minutes East, 217 feet to a point; thence South 62 degrees, 30 minutes West, 40 feet to a point; thence North 27 degrees, 30 minutes West, 237 feet to a point in the North line of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section; thence East along said line a distance of 46 feet to the point of beginning.

except for that part thereof condemned for a permanent easement as above set forth.

Which temporary right of way shall expire within two (2) years from the date of the adoption of this Resolution.

All as shown by a plan of such proposed Condemnation of right of way for utility purposes as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana.

The cost of said Condemnation of right of way for sewer easement and utility purposes and temporary right of way for construction purposes shall be assessed against the property beneficially affected thereby.

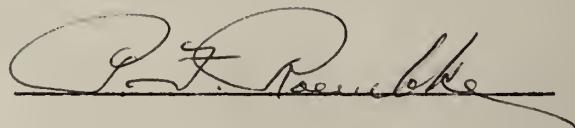
The property which may be injuriously or beneficially affected by such Condemnation of right of way for sewer easement and utility purposes and temporary right of way for construction purposes is described as follows: The Northeast $\frac{1}{4}$ and the Southwest $\frac{1}{4}$ of Section 27, Township 31 North, Range 12 East, all in Allen County, Indiana.

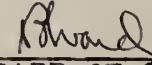
All according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporation," as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five percent (5%) per annum. Under no circumstances shall the City of Fort Wayne, Indiana be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All Proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

All streets, lots and lands affected by the above described Condemnation are situated in the Northeast $\frac{1}{4}$ and the Southwest $\frac{1}{4}$ of Section 27, Township 31 North, Range 12 East, all in Allen County, Indiana.

ADOPTED THIS _____ DAY OF _____ 1961




BOARD OF PUBLIC WORKS

ATTEST:

CLERK

For the condemnation of a permanent right of way for sewer easement and utility purposes and a temporary right of way for construction purposes across parts of

The Northeast 1/4 and the Southwest 1/4 of Section 27, Township 31 North, Range 12 East, all in Elkhart County, Indiana.

Given by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to condemn a permanent right of way for sewer and utility purposes across the following described real estate in Elkhart County, Indiana:

Beginning at a point on the North line of Section 27, Township 31 North, Range 12 East, said point being a distance of 299 feet East of the Northwest corner of the Northeast 1/4 of said Section; thence Southwesterly a distance of 1716 feet to a point 7.6 feet East of the West line of the Northeast 1/4 of said Section; thence West along a line parallel to the North line of said Section a distance of 20 feet to a point 27.6 feet East of the West line of the Northeast 1/4 of said Section, thence Northeasterly and parallel with said East line a distance of 1716 feet to a point on the North line of said Section; thence East on the North line of said Section a distance of 20 feet to the point of beginning;

Also, the West 10 feet of the East 237.5 feet of the South 222 feet of the North 1047 feet of the Southwest 1/4 of Section 27, Township 31 North, Range 12 East;

Beginning at a point 128 feet West of the Northeast corner of the Southeast 1/4 of the Southwest 1/4 of Section 27, Township 31 North, Range 12 East; thence South 27 degrees, 30 minutes East, 217 feet to a point; thence South 62 degrees, 30 minutes West, 20 feet to a point; thence North 27 degrees, 30 minutes West, 227 feet to a point in the North line of the Southeast 1/4 of the Southwest 1/4 of said Section; thence East along said line a distance of 23 feet to the point of beginning.

And to condemn a temporary right of way for the construction of the sewer and other appurtenances in said permanent right of way across the following described real estate:

Beginning at a point on the North line of Section 27, Township 31 North, Range 12 East, said point being a distance of 319 feet East of the Northwest corner of the Northeast 1/4 of said Section; thence Southwesterly a distance of 1716 feet to a point 67.6 feet East of the West line of the Northeast 1/4 of said Section; thence West along a line parallel to the North line of said Section a distance of 60 feet to a point 7.6 feet East of the West line of the Northeast 1/4 of said Section; thence Northeasterly and parallel with said East line a distance of 1716 feet to a point on the North line of said Section; thence East or the North line of said Section a distance of 60 feet to the point of beginning;

Also, the West 30 feet of the East 307.5 feet of the South 222 feet of the North 1047 feet of the Southwest $\frac{1}{4}$ of Section 27, Township 31 North, Range 12 East;

Beginning at a point 128 feet West of the Northeast corner of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 27, Township 31 North, Range 12 East; thence South 27 degrees, 30 minutes East, 217 feet to a point; thence South 62 degrees, 30 minutes West, 40 feet to a point; thence North 27 degrees, 30 minutes West, 237 feet to a point in the North line of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section; thence East along said line a distance of 46 feet to the point of beginning.

except for that part thereof condemned for a permanent easement as above set forth.

Which temporary right of way shall expire within two (2) years from the date of the adoption of this Resolution.

All as shown by a plan of such proposed Condemnation of right of way for utility purposes as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana.

The cost of said Condemnation of right of way for sewer easement and utility purposes and temporary right of way for construction purposes shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Condemnation of right of way for sewer easement and utility purposes and temporary right of way for construction purposes is described as follows: The Northeast $\frac{1}{4}$ and the Southwest $\frac{1}{4}$ of Section 27, Township 31 North, Range 12 East, all in Allen County, Indiana.

All according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporation," as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five percent (5%) per annum. Under no circumstances shall the City of Fort Wayne, Indiana be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All Proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

All streets, lots and lands affected by the above described Condemnation are situated in the Northeast $\frac{1}{4}$ and the Southwest $\frac{1}{4}$ of Section 27, Township 31 North, Range 12 East, all in Allen County, Indiana.

ADOPTED THIS _____ DAY OF _____ 1961



John F. Remond
BOARD OF PUBLIC WORKS

ATTEST:

CLERK

CALIFORNIA

50 | 105

289'

ROAD

HESS DR.

250

375

- N LINE N.E.
1/4 SEC
27-31-12

W. LINE N.
1/4 SEC.
27-31-12

1324.29

RUN SPY

N

10° 11° 12°

376

| | 140 | 140 | 135 |
|-------------|-----|-----|-----|
| 3 | 4 | 5 | 6 |
| <i>WEST</i> | | | |

LOUISDALE
TRIXHOLME
9 8
140 140

FRANKE

ADD.
12

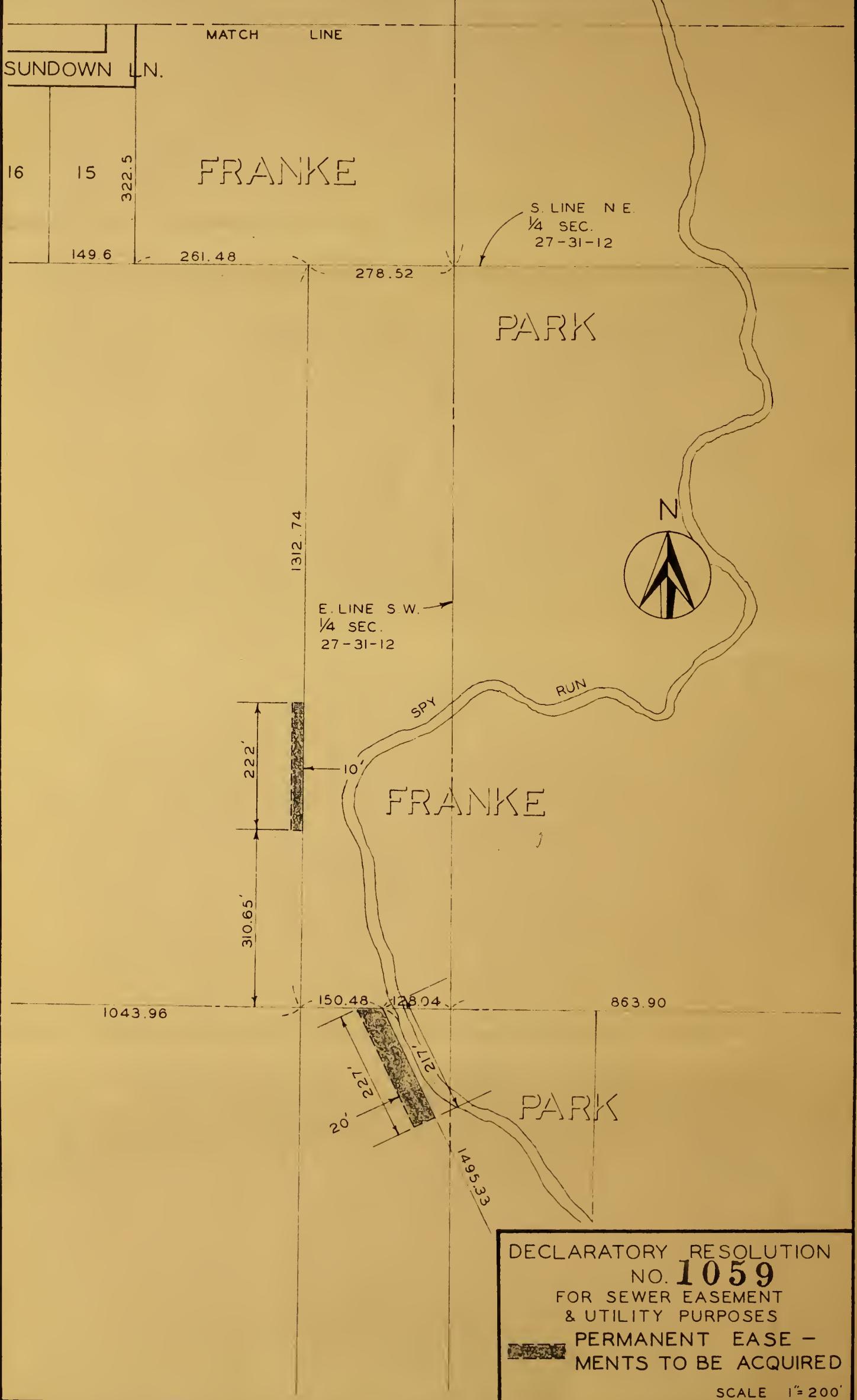
PARKSIDE

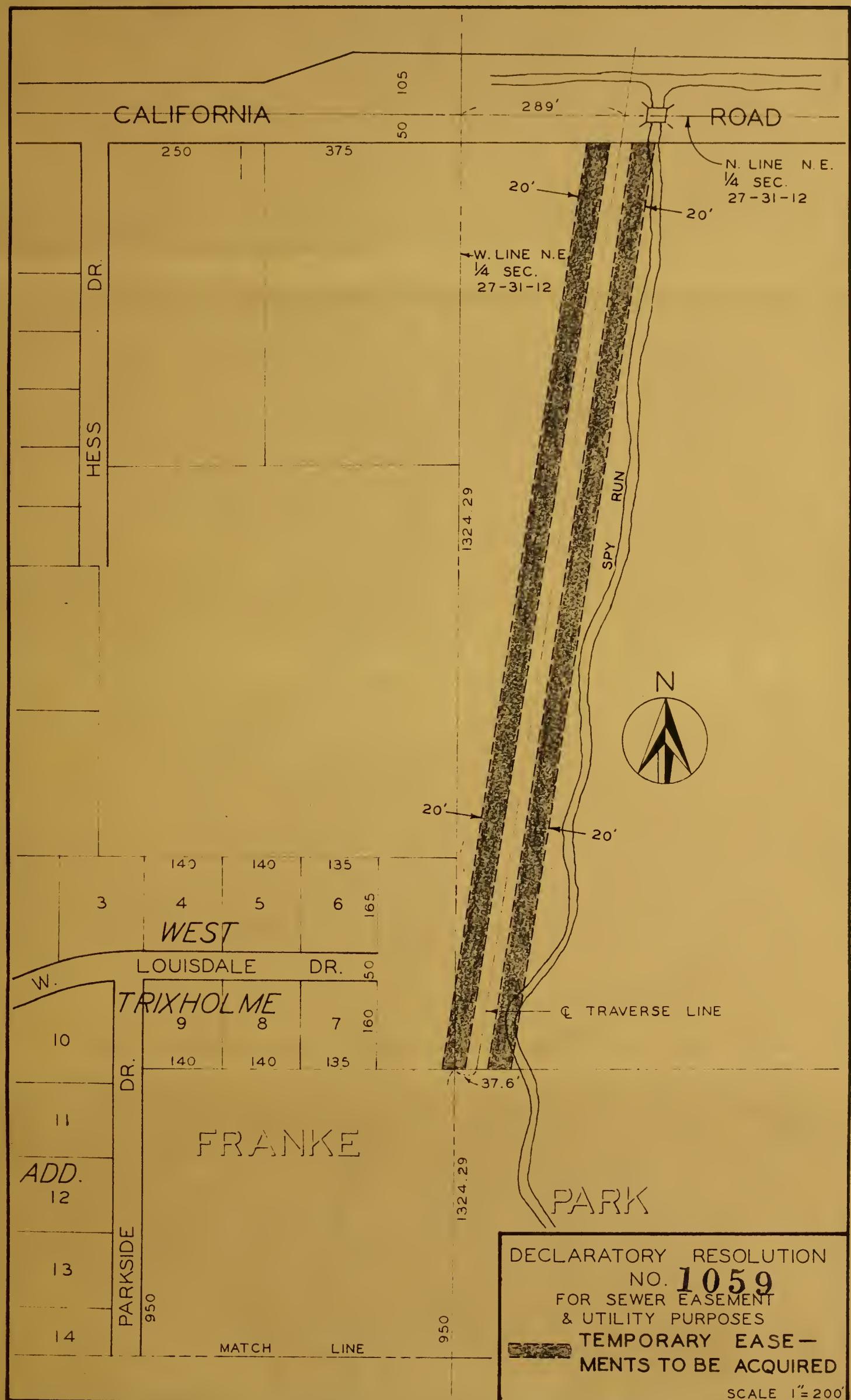
MATCH LINE

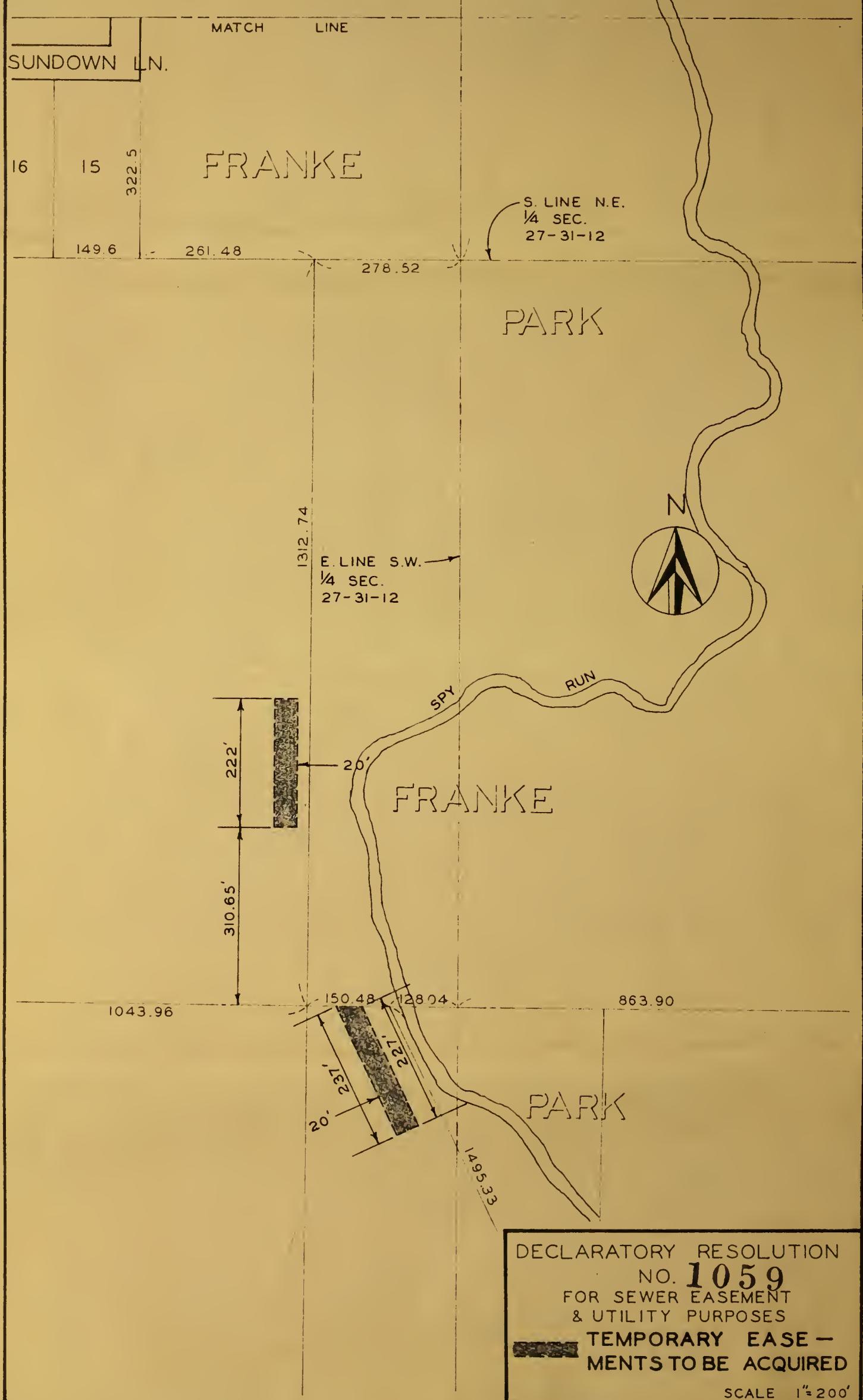
950

**DECLARATORY RESOLUTION
NO. 1059
FOR SEWER EASEMENT
& UTILITY PURPOSES
PERMANENT EASE-
MENTS TO BE ACQUIRED**

SCALE 1" = 200'







ENGINEERING
DEPT. OF STREETS

DATE June 8, 1961

TO: Board of Public Works

0 63

SUBJECT: Easements for Spy Run Interceptor

Declaratory Resolution No. 1059-1961 which provides for the condemnation of permanent and temporary right-of-way for sewer easement purposes, in connection with Main Sewer Resolution 131-1961, is completed and attached.

Please notify this office what Board Order number is assigned to this resolution. Drawings and property ownership list are also attached.

Edward Green - D.B.

Edward Green,
City Engineer

DEB/is
attachs.

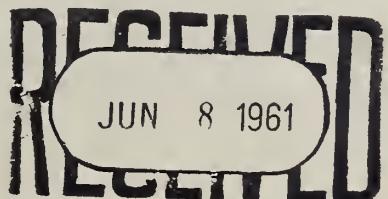
cc: Mayor Burns

NOTED

- P.F.R.
- J.D.L.
- B.W.

Date _____

JUN 8 1961



OFFICE OF
BOARD OF PUBLIC WORKS



FORT WAYNE 2, INDIANA

43-127-5

B.O. 88-'61

Date June 29, 1961

To City Engineer

Subject Declaratory 1059-1961 easements for Sewer 131

Prepare Assessment Roll of Benefits ~~and~~ \$1.00 and Damages \$1.00.

Paul F. Roembke
John D. Lombard
Berkeley Ward
BOARD OF PUBLIC WORKS

ic
attach Res. & P. O. LIST
cc: Mayor Burns

NOTED

- P.F.R.
 J.D.L.
 B.W.

Signed _____

Date _____

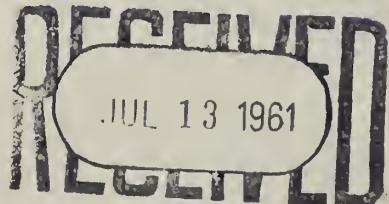
Reply:

July 13, 1961

Assessment roll of benefits and damages completed and attached.

Edward Green
City Engineer

DEB:ld
attach.



Signed _____

SENDER: REMOVE & KEEP 3RD COPY - RECEIVER: ANSWER & KEEP 2ND COPY - RETURN 1ST COPY

NOTICE OF IMPROVEMENT

OFFICE BOARD OF PUBLIC WORKS

Fort Wayne, Indiana, June 16, 1961

1059

To.....

You are hereby notified that the Board of Public Works, of the City of Fort Wayne, Indiana, did pass Improvement Resolution No. 1059-1961 providing for the condemnation of permanent and temporary right of way for sewer easement purposes, in connection with Main Sewer Resolution No. 131-1961.

All work to be done under aforementioned Improvement Resolution shall be in accordance with the detailed plans, profile and specifications which are now on file and may be seen in the office of the Board of Public Works.

The Board has fixed.....Thursday, June 29, 1961 at 3:30 p.m......
a date and time when they will hear and consider objections or remonstrances from all persons whose property will be affected by the proposed improvement.

You are hereby notified that

is subject to assessment for said proposed improvement under the Improvement Laws passed by the General Assembly of the State of Indiana, March 6, 1905, and under all acts amendatory thereto and supplemental thereof.

BOARD OF PUBLIC WORKS

NOTICE OF IMPROVEMENT

OFFICE BOARD OF PUBLIC WORKS

Fort Wayne, Indiana, June 16, 1961.....

1059

To.....Franklin S. Trick.....

R. R. #11

Lima Road

Fort Wayne, Indiana

You are hereby notified that the Board of Public Works, of the City of Fort Wayne, Indiana, did pass Improvement Resolution No. 1059-1961..... providing for the condemnation of permanent and temporary right of way for sewer easement purposes, in connection with Main Sewer Resolution No. 131-1961.

All work to be done under aforementioned Improvement Resolution shall be in accordance with the detailed plans, profile and specifications which are now on file and may be seen in the office of the Board of Public Works.

The Board has fixed Thursday, June 29, 1961 at 3:30 p.m. a date and time when they will hear and consider objections or remonstrances from all persons whose property will be affected by the proposed improvement.

You are hereby notified that

Space - South of California Road, West of Spy Run Creek, and North of Franke Park in N.E. $\frac{1}{4}$ Sec. 27-31-12 E.

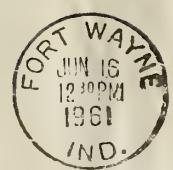
is subject to assessment for said proposed improvement under the Improvement Laws passed by the General Assembly of the State of Indiana, March 6, 1905, and under all acts amendatory thereto and supplemental thereof.

BOARD OF PUBLIC WORKS

BOARD OF PUBLIC WORKS
CITY HALL
FORT WAYNE 2, INDIANA

6

REURNED FOR BETTER ADDRESS
INSUFFICIENT ADDRESS



No R/H for over
5 years

DECLARATORY
Improvement Resolution No. 1059 - 1961 FOR THE CONDEMNATION OF PERMANENT AND TEMPORARY RIGHT-OF-WAY FOR SEWER EASEMENT PURPOSES, IN CONNECTION WITH MAIN SEWER RESOLUTION NO. 131-1961

| Ref. | OWNER'S NAME | ADDRESS | R. P. O. | NUMBER OF | | | DESCRIPTION |
|------|-----------------------------|---|----------|-----------|-------|-------|---|
| | | | | LOT | BLOCK | O. L. | |
| 1 | TRICK, FRANKLIN S. | R.R. #11 Lima Road | | | | | SPACE - S. OF CALIFORNIA RD., W. OF SPY RUN CREEK, & N. OF FRANKE PARK IN N.E. 1/4 SEC. 27-31-12 E. |
| 2 | | | | | | | SPACE - PT. OF N.E. 1/4 IN THE S.W. 1/4 SEC. 27-31-12 E. |
| 3 | | | | | | | SPACE - PT. OF S.E. 1/4 N. OF GOSHEN RD. IN THE S.W. 1/4 SEC. 27-31-12 E. |
| 4 | | | | | | | |
| 5 | ANDERSON, ZAMA V. (ET AL) | C/o Wendell O. Harris P.O. #2 Liberty Center, Ohio | | | | | |
| 6 | | | | | | | |
| 7 | EMBER, THOMAS G. & SELMA B. | 1704 Goshen Rd. | | | | | |
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| 14 | NOTICES MAILED OR SERVED | | | | | | |
| 15 | <i>June 16, 1961</i> | | | | | | |
| 16 | By <u>M.S.</u> | | | | | | |
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1059 6-6-61

